

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Attorney Docket No. 082669045008
Corral, Bradley R. et al.)	
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Application No.: 10/750,799)	
)	
Filed: January 2, 2004)	
)	
For: PRODUCTION LINE BANDING)	
SYSTEM)	
)	
Examiner: Durand, Paul R.)	
)	
Art Unit: 3721)	
)	
Confirmation No.: 1828)	

REMARKS

New claims 9-20 have been added to the application so that claims 1-20 are now in the application.

Editorial changes have been made to the specification and to the drawings as was done in the parent application, No. 10/269,437. No new matter has been added to the application.

Claims 1-6 have been rejected under section 103 as being unpatentable over Lewis (US 4,625,635) in view of Cleine et al. (US 5,282,347). These rejections are respectfully traversed.

Lewis discloses feeding mechanisms 34, 34a which feed banding material into tracks 40, 40a located so as to be mirror images of one another. The feed mechanisms and tracks are constructed in pairs in that the right hand feed mechanism 34a and the right hand track 40a move together as a single unit as does the left hand feed mechanism 34 and the left hand track 40. (It is believed that the track numbers in FIG. 1 are confused and that the right track is labeled 40a as shown in FIG. 2 and the left track is labeled 40.)

Claim 1 has been amended to include several limitations which are not found in Lewis.

Claim 1 now states that the "strapping machine (is) mounted to said support in a fixed position".

Amended claim 1 also includes a guide element mounted "between a first position where said guide element is adjacent said strapping machine. . .and a second position where said guide element is spaced from said strapping machine".

The Lewis reference does not teach or suggest these limitations. Depending upon which track is matched with which feed mechanism, one of the tracks 40, 40a, while movable between two positions, is always adjacent to the attached feed machine or always spaced from the oppositely disposed feed mechanism. The right hand track 40a is always in a fixed position relative to the right hand feed mechanism 34a and is always adjacent to it while the left hand track 40 is always spaced from the right hand feed mechanism 34a even though it too moves between two positions. In addition, both feed mechanisms 34 and 34a move relative to the supports 26 and 30.

The Cleine et al. reference also has a stationary packaging device with a stationary track except that a gate portion 9 swings open and then closes around the product to be wrapped. Together the cited references do not contain all of the limitations of the invention now claimed in claim 1.

With regard to claim 2, the right hand track 40a does not have an open side of the C-shaped configuration facing the feed mechanism 34a. If the left hand track 40 is considered the guide element which has a C-shaped configuration with an open face facing the right hand feed mechanism 34a, then clearly it does not ever move to a position adjacent the right hand feed mechanism 34a.

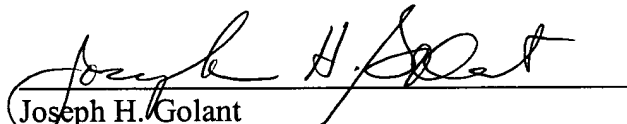
Claims 7 and 8 have been rejected under section 103 as being unpatentable over Lewis in view of Cleine et al. and further in view of Mitanihara et al. (US 4,836,873). The comments made above with regard to Lewis and Cleine et al., apply to the rejection of claims 7 and 8 also.

In view of the above comments and amendments to the claims, the Examiner is respectfully requested to reconsider his rejections.

New claims 9-20 have the same limitations mentioned above and in addition, provide additional limitations of one vertical and two horizontal conveyor systems. Once again the Examiner is respectfully requested to consider the new claims and indicate allowance.

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Respectfully submitted,


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